

August 13, 2007

MINUTES OF THE CITY COUNCIL MEETING HELD AUGUST 13, 2007

A Special meeting of the City Council of the City of Hopewell, Virginia, was held Monday, August 13, 2007, at 5:40 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Steven R. Taylor, Mayor
Brenda S. Pelham, Vice Mayor
Christina J. Luman-Bailey, Councilor
Curtis W. Harris, Councilor
Kenneth B. Emerson, Councilor
E. Randy Sealey, Councilor
N. Gregory Cuffey, Councilor

Edwin C. Daley, City Manager
Edwin N. Wilmot, City Attorney
Ann M. Romano, City Clerk

Mayor Taylor opened the meeting at 5:40 PM. Roll call was taken as follows:

Mayor Taylor	-	present
Vice Mayor Pelham	-	present
Councilor Bailey	-	present
Councilor Harris	-	present
Councilor Emerson	-	present
Councilor Sealey	-	present
Councilor Cuffey	-	present

CITY MANAGER COMMENTS

Mr. Daley stated that he wished to have these Administrative Update meetings once a month for no longer than three hours in order to shorten regular City Council meetings. Anything that is not addressed by 8:30 PM will be carried over to the next session if we do not finish on time.

NUTRIENT PROJECT UPDATE - MARK HALEY, HRWTF DIRECTOR

Mark Haley, Director of the Hopewell Regional Wastewater Treatment Facility made his presentation before Council (PowerPoint presentation filed in the City Clerk's Office). The Department of Environment Quality (DEQ) allows Hopewell 1.83 million pounds per year on its permit. By January 2011 it must be under that limit.

The Primary Plant was opened in 1959. Two clarifiers were installed in 1959 and a third in the 1970s. The HRWTF was opened in 1977 and a 30th Anniversary celebration will be held later this year. It will cost \$12 M to relocate the Primary Plant and make it bigger.

The City is represented on the HRWTF Commission by the City Manager, Ed Daley, the City Attorney, Ted Wilmot, and Councilor Ken Emerson. Each of the industries has their own representatives on the Commission. Decisions will be made by high level positions at the industries.

Mr. Haley indicated that they are working on nitrogen now that might provide some of the figures that will help ammonia reduction. Flow numbers change. Staff recommendation is 4A-1 Light. But, they did not have consensus on that. The three City representatives all wanted 4A-1 Light. The Primary Plant must be the primary focus. That waste stream must be segregated.

CODE ENFORCEMENT UPDATE

Chief John Tunstall provided the Overview of Rental Inspection Program.

- I. Implementation
- II. Rental Inspection District Boundaries
 1. City Point District
- III. Enforcement
- IV. Notification
 1. the first notices went out on January 16, 2006
 2. the first inspections started on January 23, 2006
- V. Notification Process
- VI. Inspection
 1. 478 inspections were done
 2. 124 were rental units
 3. The next area for inspections will be selected by City Council. It could be Arlington Heights but that will be decided by Council. Chief Tunstall feels that the Rental Inspection Program should remain in the City Point area for a little longer. Code Enforcement is moving forward and making good progress. They should stay in City Point for about another year. *(The City Manager stated that Mr. Altman will have a map made of where properties are and what has been done so council can see that.)*
 4. An Inspector has been assigned to do inspections of owner-occupied properties as well as rental properties. The only difference is that he cannot go inside of an owner-occupied property. If there is a violation visible from outside, he must record it.
- VII. Exemptions
- VIII. Fee
- IX. Violations and Penalties
 1. Code Enforcement can only write a violation if it can be sited in the Code. The most common are: 18-2 Trash and debris. 18-25 Trash cans. Some things in the Code are questionable. *(The City Manager indicated that lists were prepared as a result of Ward tours; the Chief is now working on those lists.)*
- X. Status Report
- XI. Benefit of Program

The Crater Area Agency on Aging and Elder Homes are two good resources to work with senior citizens who may have violations after an inspection. The Fire Department is not in a position to recommend assistance to a particular individual. Those agencies are available to assist anyone who qualifies.

Some of the major issues that Code Enforcement encounters through the Inspection process include:

- Feuds between neighbors;
- Owner/tenant problems;
- State Code issues;
- Serving summons' on people who live outside the City; and
- Resistance to change.

FUND BALANCES REPORT

Elesteen Hager, Director of Finance, presented a Fund Balances Report, designed at the request of the City Manager. It provides a three-year running balance for each fund of the City, 2005-actual, 2006-actual, and 2007-projected, and followed the Auditors' format (copy filed in the City Clerk's Office).

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DEVELOPMENT PROJECTS STATUS

In the interest of time, Mr. Daley decided to pull the City Property Use List until the next Update Meeting, and move on to the Development Projects Status.

March Altman, Assistant City Manager for Community Development, provided the following report: (copy filed in the City Clerk's Office)

Mallonee

On May 31, 2007, the City Administration conducted interviews with the three firms who submitted unsolicited proposals for the adaptive reuse of the Mallonee School Building to market rate apartments. The three firms are: Garcia Development; S & S Construction; and Spotts & Carneal.

As a result of the interviews, a question was raised concerning the viability of converting the auditorium space into apartments. The City Administration contacted the Virginia Department of Historic Resources (DHR) to request a determination and arrange a tour of the building. On June 19, 2007, Doug Smith and March Altman met with DHR officials and toured the building. On July 19, 2007, Mr. Altman received a determination letter from DHR. That letter will be forwarded to the three firms along with a request to clarify the following items in their proposals:

- 1) Specific information regarding the fixtures, furnishings and equipment (FF&E);
- 2) Provide final and best proforma; and
- 3) Provide an explanation of the relationship between the project and Merner Field, to include roof top use and parking.

The firms were required to respond to the three above items by Thursday, August 2, 2007. The City/Kaufman & Canoles has received two responses on August 2. The City Administration will discuss the final proposals, develop a recommendation for presentation to City Council, and schedule interviews for Council with the firms within the next 2-3 weeks.

FULCO

Since Council's June 12, 2007 approval of the predevelopment agreement with the city Administration and Doug Smith, Mr. Altman has spoken with Mr. Fuller regarding the process on the demand study and issues related to the proposed ethanol facility. On June 27, 2007, Mr. Altman met with a representative of Hospitality Appraisals, Inc., the firm conducting the demand study for FULCO. Mr. Altman spoke with Mr. Fuller on July 19, 2007 to discuss the status of the demand study and additional site work. The City Administration has received the completed demand study and is in the process of reviewing the document and scheduling a meeting with Mr. Fuller to discuss the next step in the process. A meeting will be scheduled with Mr. Fuller to occur within the next few weeks. Once the Administration has met with Mr. Fuller, a meeting will be scheduled with Mr. Fuller for Council and have a recommendation.

The Bluffs & City Marina

Council approved the 90-day non-compete agreement with S. L. Nusbaum on May 22, 2007. Since that time, the City Administration has provided Nusbaum with additional site data and data of surrounding properties. Mr. Altman met with representatives of RCL Co., the firm conducting the market study for Nusbaum, on July 16. The Market study has been completed and the Administration will be meeting with representatives of S. L. Nusbaum on August 23 to discuss the study and the redevelopment proposal, after which, a meeting with Council will be scheduled.

I-295, Exit 9 Interchange Area

The City Administration continues to work with Lee Warfield of Thalhimer/Cushman to locate a big box retailer in the vicinity of the interchange. Mr. Altman spoke with Mr. Warfield and a representative of the big box two weeks ago, and they continue to have a strong interest in Hopewell. Mr. Altman is in the process of setting up a meeting with some property owners and Mr. Warfield. Mr. Altman spoke with one

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of the property owners involved with this issue and they are very supportive of the City's vision for additional retail development along the Exit 9 area. They are in discussions with Mr. Warfield for the purchase of their property to facilitate the location of a big box retailer in the interchange area.

Bojangles

The City Administration met with representatives of Bojangles to discuss their interest in the property located in the northeast corner of the intersection of Dinwiddie Avenue and Oaklawn Boulevard. The City Administration has received a building concept photo; however, we have not received a site plan submittal for review to date.

Ingram & Associates

The City Administration has written a zoning and right-of-way confirmation letter for Mr. Ingram and the project proposed in the block adjacent to Ashland Street, Oaklawn Blvd., Woodlawn Street to the east of the WaWa. At this time the Administration has not received construction plans or a site plan for review.

ADJOURN

At 8:30 PM **motion** was made by Councilor Emerson, and seconded by Councilor Harris, to adjourn the meeting. Upon the roll call, the vote resulted:

Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson		yes
Councilor Sealey	-	yes

Steven R. Taylor, Mayor

Ann M. Romano, City Clerk